



STATE OF CONNECTICUT • COUNTY OF TOLLAND  
INCORPORATED 1786

# TOWN OF ELLINGTON

55 MAIN STREET • P.O. BOX 187  
ELLINGTON, CONNECTICUT 06029-0187

TEL 870-3100 FAX 870-3102

[www.ellington-ct.gov](http://www.ellington-ct.gov)

DENNIS C. MILANOVICH  
First Selectman

DENNIS W. FRAWLEY  
Deputy First Selectman

PETER J. CHARTER  
MARK D. LEIGHTON  
A. LEO MILLER, JR.  
MICHAEL P. STUPINSKI  
NANCY O. WAY

BOARD OF SELECTMEN  
November 14 2005  
Meeting Hall – Town Hall

SELECTMEN PRESENT: Peter Charter, Dennis Frawley, Mark Leighton, Dennis Milanovich,  
A. Leo Miller, Michael Stupinski and Nancy Way

OTHERS PRESENT: Conservation Commission Member and Northern CT Land Trust:  
J. Gage; Finance Officer: N. DiCorleto; Public Works Director: P.  
Michaud; Cultural Arts Chair: P. Recker; Fire Marshal: A.  
Lawrence; North Central News: M. Callahan

## I. CALL TO ORDER:

First Selectman Milanovich called the meeting of the Board of Selectmen (BOS) to order at 7:32 p.m.

## II. CITIZENS' FORUM: None

## III. APPROVAL OF MINUTES:

A. October 17, 2005 Special Town Meeting

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO APPROVE THE  
OCTOBER 17, 2005 SPECIAL TOWN MEETING MINUTES.

B. October 17, 2005 Board of Selectmen Regular Meeting:

MOVED (WAY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO APPROVE  
OCTOBER 17, 2005 BOARD OF SELECTMEN REGULAR MEETING MINUTES.

## IV. UNFINISHED BUSINESS:

A. Abandonment/Discontinuance of Porter Road/Set Town Meeting

Tom Narkawicz, 165 Porter Road, expressed concern with getting notice of this meeting on Saturday. Mr. Milanovich stated that he extended the 500 ft. notification requirement to the entire road as a courtesy. Notification of the Town Meeting date will be sent out when the legal notice is prepared.

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO APPROVE THE DISCONTINUANCE OF A PORTION OF PORTER ROAD THAT EXTENDS FROM WEBSTER ROAD TO THE LUGINBUHL PROPERTY (APN# 144-003-0000), AS RECOMMENDED BY THE TOWN ENGINEER AND AS APPROVED BY PLANNING AND ZONING COMMISSION. FURTHER, TO AUTHORIZE THE FIRST SELECTMAN TO WARN A SPECIAL TOWN MEETING FOR MONDAY, DECEMBER 12, 2005, AT 7:15 P.M. AT THE ELLINGTON TOWN HALL TO CONSIDER THE DISCONTINUANCE OF ABOVE-NOTED PORTION OF PORTER ROAD.

B. Northern CT Land Trust Hiking Trail – Agreement Amendment

MOVED (FRAWLEY), SECONDED (MILLER) TO APPROVE THE REVISIONS TO THE AGREEMENT BETWEEN THE TOWN OF ELLINGTON AND THE NORTHERN CONNECTICUT LAND TRUST FOR THE PURPOSE OF INSTALLING AND MAINTAINING HIKING TRAILS AS FOLLOWS: THE TERM OF THE AGREEMENT SHALL BEGIN ON DECEMBER 1, 2005 AND THE LIABILITY LIMIT OF INSURANCE FOR MORE THAN ONE PERSON SHALL BE NOT LESS THAN \$2,000,000. FURTHER, TO AUTHORIZE THE FIRST SELECTMAN TO EXECUTE AGREEMENT (**ATTACHED**), AS AMENDED.

Discussion:

Mr. Miller suggested amending the motion to include the liability coverage per occurrence.

MOVED (MILLER), SECONDED (LEIGHTON) AND PASSED UNANIMOUSLY TO AMEND THE ABOVE MOTION AS FOLLOWS: LIABILITY LIMIT OF INSURANCE SHALL BE \$1,000,000 PER OCCURRENCE SUBJECT TO A GENERAL AGGREGATE LIMIT OF \$2,000,000.

Vote on motion: All in favor

C. Cultural Arts Commission (CAC) – Use of Donations

Mr. Milanovich referenced a letter from the Town Attorney dated November 10, 2005 (**attached**) suggesting that the CAC submit an estimate of revenues that it anticipates receiving from its fund-raising activities and proposed expenditures as part of the annual budgetary process. She also pointed out that if the BOS decides to expand the mission of the CAC that the ordinance establishing the Commission, which was adopted on February 28, 1975, should be revised and adopted at a Town Meeting.

Mr. Recker stated that he was in favor of revising the ordinance and requested that the BOS direct the Town Attorney to do so. The BOS agreed.

D. Land Acquisition – Roche Property – 80 Maple Street/Set Town Meeting

Mr. Milanovich stated that the Board of Finance did not approve the purchase of 80 Maple Street for financial reasons. He will notify the property owners.

E. House Number Ordinance – Enforcement

Mr. Charter suggested that the Building Official include money in his budget for enforcement of the Housing Numbering Ordinance.

## F. Winterfest – Donations Account

Mr. Milanovich referenced a letter from the Town Attorney dated November 11, 2005 (**attached**) suggesting that funding/donations for Winterfest be considered as part of the operating budget. The BOS agreed.

## V. NEW BUSINESS:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO ADD THE FOLLOWING ITEMS TO NEW BUSINESS: L. WOODLAND TRAIL – ACCEPT AS TOWN ROAD AND WAIVE MAINTENANCE BOND; M. ALLEN RIDGE DRIVE, CANTOR KNOLL AND RIDGEVIEW DRIVE – ACCEPT AS TOWN ROADS AND WAIVE MAINTENANCE BOND; N. GASEK FARM I – ACCEPT DETENTION BASIN AND RELEASE BOND; O. LADD ROAD – ACCEPT OPEN SPACE AND ACCEPT PORTION OF LADD ROAD (YANAROS SUBDIVISION); P. POLICE - TRAFFIC ENFORCEMENT GRANT

## A. Tax Refunds/Abatements:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO APPROVE THE TAX REFUNDS IN THE AMOUNT OF \$2,230.64 AND TAX ABATEMENTS IN THE AMOUNT OF \$53.91, AS RECOMMENDED BY THE TAX COLLECTOR IN THE REFUNDS/ABATEMENTS STATEMENT. (**ATTACHED**)

## B. Re-establish Budget Advisory Committee:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO RE-ESTABLISH THE BUDGET ADVISORY COMMITTEE FOR THE 2006 BUDGET SEASON.

## C. Minimum Building Permit Fee Adjustment:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO ADJUST THE MINIMUM FEES FOR BUILDING PERMITS TO \$45.00, AS RECOMMENDED BY THE BUILDING OFFICIAL IN HIS MEMO OF OCTOBER 28, 2005. (**ATTACHED**)

## D. Housing Authority – Removal of Member:

MOVED (FRAWLEY), SECONDED (WAY) AND PASSED UNANIMOUSLY TO REMOVE THOMAS BERUBE AS A MEMBER OF THE HOUSING AUTHORITY FOR NON-COMPLIANCE OF THE TOWN'S ATTENDANCE POLICY OF APPOINTED BOARD MEMBERS.

## E. Fire Marshal - Request to Promote James York, Fire Inspector:

MOVED (FRAWLEY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO RECLASSIFY JAMES YORK, FIRE INSPECTOR, TO THE POSITION OF DEPUTY FIRE MARSHAL AT A RATE OF \$22.85 PER HOUR EFFECTIVE NOVEMBER 14, 2005, AS RECOMMENDED BY THE FIRE MARSHAL IN HIS MEMO OF NOVEMBER 7, 2005. (**ATTACHED**)

F. Authorize First Selectman to Submit Grant Application:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO AUTHORIZE DENNIS C. MILANOVICH, FIRST SELECTMAN, TO SUBMIT A GRANT APPLICATION IN THE AMOUNT OF \$25,000 TO THE STATE OF CONNECTICUT OFFICE OF POLICY AND MANAGEMENT TO SUPPLEMENT EDUCATION NEEDS AND FURTHER TO AUTHORIZE THE FIRST SELECTMAN TO EXECUTE THE GRANT AWARD IF OFFERED.

G. Request to Hunt on Town-owned Open Space Property

Mr. Milanovich stated that he received a request to hunt on the newly acquired open space property on Porter Road. The previous owners had hunted on the property for a considerable amount of years before selling it to the Town and asked permission to hunt the property this year. Mr. Milanovich stated that the Conservation Commission is in the process of developing a Town-wide policy on hunting on Town-owned open space. In the meantime, he would like to grant permission to hunt on a case by case basis, in line with the way the property has been used in the past. Hunters would be subject to regulations stipulated in the State Statutes.

Mr. Gage supports this suggestion with the condition that only shot guns would be used and prohibiting the use of rifles. In addition, permanent tree stands and baiting would not be allowed. He noted that hunting is permitted in the State forest to the north and south of the Porter Road property.

Mr. Stupinski noted that the Town Attorney, in her letter dated November 14, 2005 (**attached**), suggested that the Town discuss the exposure to liability with CIRMA before allowing hunting activity on Town-owned land. Mr. Leighton stated that he had serious reservations to allow hunting without knowing the liability exposure to the Town. Mr. Miller suggested the BOS wait for the Conservation Commission to finalize their policy proposal.

This item was tabled to the December 12, 2005 meeting.

H. IRS Code Section 125 – Premium Payment Plan – PreTax Salary Reduction Basis:

MOVED (FRAWLEY), SECONDED (CHARTER) TO AUTHORIZE THE FINANCE OFFICER TO OFFER THE SECTION 125 PREMIUM PAYMENT PLAN TO ELIGIBLE EMPLOYEES.

Discussion:

Mr. DiCorleto reviewed the plan which would allow employees the opportunity to pay their insurance premiums on a pre-tax basis. Mr. Frawley asked what it would cost the Town to implement this option. Mr. DiCorleto will calculate the costs and report back to the BOS at the December 12, 2005 meeting. Action on the motion was tabled to the December 12, 2005 meeting.

I. Building Permit Fee

Mr. Charter stated that he will present his questions regarding the building permit fees directly to the Building Official.

J. 10/31/05 Letter from First Selectman re: Foundation Permit, Big Y

Mr. Charter stated that he will discuss his concerns regarding the Big Y foundation permit with the Building Official.

K. Anaerobic Digester

This item was not discussed.

L. Woodland Trail – Accept as Town Road and Waive Maintenance Bond

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO ACCEPT WOODLAND TRAIL, AS DEFINED ON THE DEED **ATTACHED** TO THESE MINUTES, AS A TOWN ROAD AND AUTHORIZE THE TOWN PLANNER TO RECORD THE TENDERED DEED PURSUANT TO THIS AUTHORIZATION AND THE SUBDIVISION REGULATIONS.

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO WAIVE THE MAINTENANCE BOND ON THE ROADS AND DRAINAGE FOR WOODLAND TRAIL AS RECOMMENDED BY THE TOWN ENGINEER.

M. Gasek Farm Subdivision Phase II: Allen Ridge Drive, Cantor Knoll and Ridgeview Drive – Accept as Town Roads and Waive Maintenance Bond

MOVED (FRAWLEY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO ACCEPT ALLEN RIDGE DRIVE, CANTOR KNOLL AND RIDGEVIEW DRIVE, AS DEFINED ON THE DEED **ATTACHED** TO THESE MINUTES, AS TOWN ROADS AND AUTHORIZE THE TOWN PLANNER TO RECORD THE TENDERED DEED PURSUANT TO THIS AUTHORIZATION AND THE SUBDIVISION REGULATIONS.

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO WAIVE THE MAINTENANCE BOND ON THE ROADS AND DRAINAGE FOR THE GASEK FARM SUBDIVISION PHASE II AS RECOMMENDED BY THE TOWN ENGINEER.

N. Gasek Farm I – Accept Detention Basin and Release Bond.

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO ACCEPT THE PERMANENT DRAINAGE EASEMENT FOR THE GASEK FARM I DETENTION BASIN AS DEFINED IN THE **ATTACHED** DEED AND RELEASE THE \$4,000 MAINTENANCE BOND, AS RECOMMENDED BY THE TOWN ENGINEER.

O. Ladd Road – Accept Open Space and Accept Portion of Ladd Road (Yanaros Subdivision)

MOVED (FRAWLEY), SECONDED (MILLER) TO ACCEPT THE OPEN SPACE FROM THE YANAROS (LADD ROAD) SUBDIVISION DEFINED IN THE WARRANT DEED FROM CHRISTOPHER E. YANAROS AND DEANN C. YANAROS TO THE TOWN OF ELLINGTON DATED SEPTEMBER 2, 2005 AS RECOMMENDED BY THE PLANNING & ZONING COMMISSION WHICH HAS APPROVED IT AS PART OF THE SUBDIVISION APPROVAL.

Several BOS members requested a map identifying the open space parcel before taking action. Action on the motion was tabled to the December 12, 2005 meeting. Acceptance of a portion of Ladd Road was also tabled to the December 12, 2005 meeting.

P. Police - Traffic Enforcement Grant

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO AUTHORIZE DENNIS C. MILANOVICH, FIRST SELECTMAN, TO SUBMIT A GRANT APPLICATION IN THE AMOUNT NOT TO EXCEED \$40,000 FOR TRAFFIC ENFORCEMENT AND FURTHER TO AUTHORIZE THE FIRST SELECTMAN TO EXECUTE THE GRANT AWARD IF OFFERED.

VI. ADMINISTRATIVE REPORTS: So noted except for E.

E. Public Works Director:

Mr. Michaud reported that the costs for the Windermere Bridge project were recalculated based on 2005 figures which resulted in a \$300,000 increase. The CRCOG Transportation Committee recently voted to grant the Town of Ellington this cost differential. They also suggested the Town take this project from the State and complete it in this fiscal year. The BOS agreed.

VII. SELECTMEN COMMITTEE REPORTS:

A. Personnel Committee

1. Resignations: None.
2. Recommended Appointments:

MOVED (STUPINSKI), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO REAPPOINT JOSEPH SNYDER AND GARY DAIGLE TO THE AD HOC BUDGET ADVISORY COMMITTEE THROUGH THE 2006 BUDGET SEASON.

MOVED (STUPINSKI), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO APPOINT LISA HOWARD TO THE INSURANCE ADVISORY BOARD TO FILL AN UNEXPIRED TERM TO APRIL 30, 2007.

B. Ordinance Committee:

1. Consider New Ordinance – Waive Interest on Property Tax for Residents in Armed Forces Serving in Middle East/Set Public Hearing:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO RECOMMEND A NEW ORDINANCE TO WAIVE INTEREST ON PROPERTY TAX FOR ANY ELLINGTON REAL PROPERTY OWNERS WHOSE SPOUSE IS ON ACTIVE DUTY IN IRAQ OR AFGHANISTAN, AS SUBMITTED BY THE TOWN ATTORNEY, AND AS AMENDED AND RECOMMENDED BY THE ORDINANCE COMMITTEE, AND THAT THE BOARD OF SELECTMEN HOLD A PUBLIC HEARING ON MONDAY, DECEMBER 12, 2005 AT 7:30 P.M. TO ALLOW CITIZENS TO COMMENT ON THE PROPOSED NEW ORDINANCE.

3. Other: None.

VIII. SELECTMEN LIAISON REPORTS: None.



## IX. FIRST SELECTMAN'S REPORT:

Mr. Milanovich thanked the board members for their help and support during his term as First Selectman. He stated that it has been a privilege to serve the Town of Ellington.

Mr. Stupinski thanked Mr. Milanovich and wished him well in his future endeavors. He also extended his thanks to Mr. Leighton.

Mr. Leighton stated that he enjoyed working with the board members; he learned a great deal and was thankful for the opportunity to serve the residents of Ellington.

## X. CORRESPONDENCE: So noted.

- A. October 5, 2005 Letter from State DOT re: Sale of State-owned Property
- B. October 26, 2005 Letter from Town Engineer re: Sale of State-owned Property
- C. November 1, 2005 Memo from DPW Director re: Sale of State-owned Property
- D. November 1, 2005 Letter from Superintendent of Schools
- E. November 4, 2005 Letter from LaBelle, LaBelle & Naab, P.C. re: CLFD

## XI. ADJOURNMENT:

MOVED (LEIGHTON), SECONDED (WAY) AND PASSED UNANIMOUSLY TO ADJOURN THE MEETING OF THE BOARD OF SELECTMEN AT 8:47 P.M.

Submitted by Marie Saure Approved by Donna C. Milanovich

IV-B

## AGREEMENT

The Town of Ellington, a Connecticut municipality, hereinafter referred to as the "Town" acting hereunder through it's First Selectman, Dennis Milanovich, and the Northern Connecticut Land Trust, a Corporation, hereinafter referred to as the "Land Trust" acting hereunder through Culver Modisette, its duly authorized President, does hereby agree to the following:

1. The Town hereby grants permission to the Land Trust, its agents or assigns, to enter the open space land owned by the Town located off of Porter Road in Ellington for the sole purpose of installing and maintaining hiking trails as shown on the attached map.

2. The term of this agreement shall begin on ~~November~~ <sup>Dec.</sup> 1, 2005 and terminate ten years from that date except either party may terminate the lease at any time upon thirty days written notice to the other party of its intent to terminate.

3. During the term of this agreement the Land Trust shall pay all premiums for and furnish certificates to the Town for a public liability insurance protecting the parties to this agreement, their agents, officers, elected officials, representatives, or employees because of liability incurred by the parties in the performance of the terms of this agreement when such liability is imposed on account of injury to or death of a person or person, such policy to provide limits on account of any accident resulting in death or injury to one person of not less than \$1,000,000 and a liability limit on account of any accident resulting in injury or death to more than one person of not less than ~~\$3,000,000.~~ <sup>2,000,000.</sup>

Signed in Ellington, Connecticut on this \_\_\_\_ day of \_\_\_\_\_, 2005.

Town of Ellington

Northern Connecticut Land Trust

\_\_\_\_\_  
Dennis Milanovich  
First Selectman

\_\_\_\_\_  
Culver Modisette  
President



**COURTNEY, BOYAN & FORAN, LLC**

ATTORNEYS AT LAW  
62 HYDE AVENUE  
VERNON, CONNECTICUT 06066-4503

(860) 872-7200  
FAX (860) 875-6594

JOSEPH D. COURTNEY

SUSAN BOYAN

ELIZABETH C. FORAN

TOWN OF ELLINGTON  
RECEIVED

NOV 14 2005

FIRST SELECTMAN'S  
OFFICE

LEO B. FLAHERTY  
1923 - 1998  
ARTHUR P. MEISLER  
1945 - 2001

November 10, 2005

Dennis Milanovich  
First Selectman  
Town of Ellington  
P.O. Box 187  
Ellington, CT 06029

Dear Mr. Milanovich:

You have asked for my opinion regarding the proposal to expand the mission of the Ellington Cultural Arts Commission. Section 818 of the Ellington Charter states that the Cultural Arts Commission shall have all the powers and duties conferred by statute or prescribed by the Board of Selectmen. The ordinance establishing the Commission was adopted on February 28, 1975 and states that the Commission shall encourage participation and promotion of artistic and cultural activities. If the Board of Selectmen decides to implement the proposed changes then the ordinance establishing the Cultural Arts Commission would need to be revised and adopted at a Town Meeting.

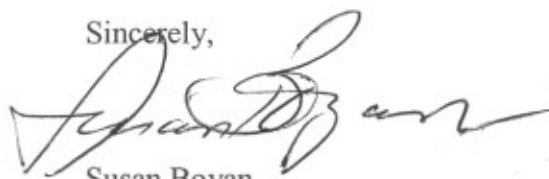
The ordinance would need to be changed to allow the Cultural Arts Commission to raise money and to make the fund non lapsing at the end of each fiscal year, as permitted by Connecticut General Statute Section 7-148(2)(K). It should also set out some general policies regarding the expenditure of the funds received or allocated to the Cultural Arts Commission. A revised ordinance can not change the budget requirements of the Town Charter. The Charter provisions prevail over any ordinance and can only be changed by revisions to the Charter. Even if the function of the Cultural Arts Commission changes, it still needs to comply with the same budgetary process that all Town agencies and boards must follow.

The process that the Cultural Arts Commission needs to follow for budgeting and spending is outlined in Chapter X of the Ellington Charter. By February 15<sup>th</sup> of each year, every board or agency of the Town must submit to the Finance Office an estimate of expected revenues for the ensuing fiscal year. In this case the Cultural Arts Commission would need to submit an estimate of the revenues that it anticipates

receiving from its fund raising activities and its proposed expenditures. The Finance Officer then compiles figures of budgeted and actual revenues and expenditures for the last completed fiscal year. By March 15<sup>th</sup> the Finance Officer must submit to the Board of Finance a budget which includes an itemized list of budgeted and actual revenues and expenditures for the past year and estimates for the next fiscal year. After a budget is approved by the Board of Finance and adopted at a Town Meeting it then is executed and monitored by the Finance Officer. No agency, board or commission is permitted to expend or commit the Town to expenses for purposes in excess of the appropriated amount without the approval of the Board of Selectmen and the Board of Finance.

Please let me know if you wish me to draft a revised ordinance or if you would like any additional information regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Susan Boyan', with a stylized flourish extending to the right.

Susan Boyan  
Town Attorney

**COURTNEY, BOYAN & FORAN, LLC**

ATTORNEYS AT LAW  
62 HYDE AVENUE  
VERNON, CONNECTICUT 06066-4503

(860) 872-7200  
FAX (860) 875-6594

JOSEPH D. COURTNEY

SUSAN BOYAN

ELIZABETH C. FORAN

TOWN OF ELLINGTON  
RECEIVED

NOV 14 2005

FIRST SELECTMAN'S  
OFFICE

LEO B. FLAHERTY  
1923 - 1998  
ARTHUR P. MEISLER  
1945 - 2001

November 11, 2005

Dennis Milanovich  
First Selectman  
Town of Ellington  
P.O. Box 187  
Ellington, CT 06029

Dear Mr. Milanovich:

This letter is in response to the letter from the Ellington Winterfest Committee requesting that the Town pay for the cost of State Troopers and Town Constables at "Winterfest" and that a separate fund be created by the Town to collect funds to defray the cost of the event.

The Town Ordinance that requires the licensing of special events also requires the sponsors of the events to pay for police protection as required by the Board of Selectmen. However, the ordinance does not apply to "government or quasi-governmental organizations or by Town service organizations." I do not believe that the Winterfest committee presently qualifies as a governmental committee. If the Board of Selectmen wishes to permit the Winterfest event to take place and pay for the police protection for it then the Board could, by resolution, create the Winterfest committee as a temporary Town committee pursuant to Section 504 of the Charter.

The Winterfest Committee also asked that a special fund be created to accept donations for the cost of the event. Funding for all activities in Town is subject to the budget process. This is true regardless of the source of the revenue. A separate fund to accept donations could be created by ordinance which requires approval at a Town Meeting. Since the fund would be a Town fund the decision on the expenditures from the fund would be decided by the Board of Selectmen and not the Committee. It is my opinion that rather than create a special purpose fund for this year, the funding of Winterfest be considered next year as part of the operating budget. If the Town chooses to sponsor and pay for the cost of an activity then the funding for that activity should be part of the regular budget process.

If you have any questions or need additional information regarding this matter, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Boyan". The signature is fluid and cursive, with a large, stylized initial "S".

Susan Boyan  
Town Attorney

					V-A
	TAX COLLECTOR'S REFUNDS/ABATEMENTS				
	NOVEMBER, 2005				
DOLLAR AMOUNT	PERSON/CORPORATION	MV/PERS.PROP REAL ESTATE	YEAR	TAX/ASSESSOR REQUESTING DEPT.	REASON FOR
	REFUNDS				
\$41.87	BOOMA, DAVID N	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$54.35	BMW FINANCIAL SERVICES	MOTOR VEHICLE	03	ASSESSOR	VEHICLE SOLD
\$40.08	BMW FINANCIAL SERVICES	MOTOR VEHICLE	04	TAX OFFICE	OVERPAYMENT
\$467.13	CHASE MAN AUTO FIN CORP	MOTOR VEHICLE	03, 04	ASSESSOR	VEHICLE SOLD
\$197.03	CHASE MAN AUTO FIN CORP	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$186.48	CHASE MAN AUTO FIN CORP	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$8.40	ERTEL, WILLIAM C	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$165.39	KUBAS, RACHEL L	MOTOR VEHICLE	03, 04	ASSESSOR	VEHICLE SOLD
\$407.57	NISSAN INFINITI LT	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$239.23	NUON, LUY	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$18.58	PEASE, GARRETT W	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$20.02	PROKOP, VERONICA B	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$7.12	SCOTT'S ELECTRIC INC	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$93.00	SHERBA, PETER J	MOTOR VEHICLE	03, 04	ASSESSOR	VEHICLE SOLD
\$147.40	TOYOTA MOTOR CREDIT CORP	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$136.99	TOYOTA MOTOR CREDIT CORP	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$2,230.64	NOVEMBER REFUND TOTAL				
	ABATEMENTS				
\$22.24	ALBRO, TRICIA C	MOTOR VEHICLE	04	HUMAN SERVICES	HARDSHIP (abate interest)
\$31.67	HETH, ELSIE M	REAL ESTATE	04	ELDERLY OUTREACH	HARDSHIP (abate interest)
\$53.91	NOVEMBER ABATEMENT TOTAL				
\$2,284.55	NOVEMBER, 2005 REFUND AND ABATEMENT TOTAL				
refnov05					



STATE OF CONNECTICUT • COUNTY OF TOLLAND  
INCORPORATED 1786

# TOWN OF ELLINGTON

55 MAIN STREET • P.O. BOX 187  
ELLINGTON, CONNECTICUT 06029-0187

## BUILDING DEPARTMENT

TEL.: (860) 870-3124 FAX: (860) 870-3122

### MEMORANDUM

**DATE:** Oct. 28, 2005  
**TO:** Dennis C. Milanovich, First Selectman ✓  
**FROM:** Peter R. Williams, Building Official ✓  
**CC:** File  
**SUBJECT:** Minimum Building Permit Fees



The minimum fees for building permits need to be adjusted, due to the increase in cost for processing and enforcement of smaller permits.

All types of fees that fall into the minimum fee category should be increased to \$ 45.00.

The breakdown for this is as follows:

Processing	\$ 10
Permit review	\$ 15
Typically 1 Inspection	\$ 20
	-----
Total	\$ 45



V-E

Town of Ellington  
Department of Town Fire Marshal  
**Memorandum**



To: Dennis C. Milanovich, First Selectman   
From: Allan Lawrence, Town Fire Marshal  
Date: November 7, 2005  
Subject: James S. York: Promotion from Fire Inspector to Deputy Marshal  
Copy(ies): Employee File

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Mr. James York has successfully completed his certification program through the Connecticut Department of Public Safety and received his state certification on October 21, 2005 as indicated on his certificate (copy attached).

I respectfully request that the Board of Selectmen promote Mr. York from his position as Fire Inspector to that of Deputy Fire Marshal so that he may legally fulfill the duties of that position as outlined in the most recent job description approved by the Town for Deputy Fire Marshal. This position pays at that approved rate of \$22.85.



V-G  
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JOSEPH D. COURTNEY

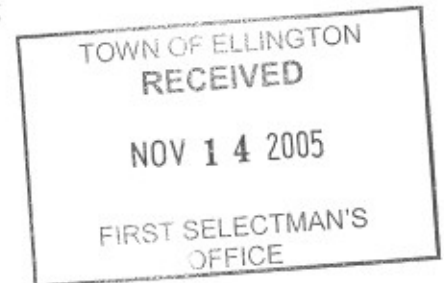
SUSAN BOYAN

ELIZABETH C. FORAN

LEO B. FLAHERTY  
1923 - 1998  
ARTHUR P. MEISLER  
1945 - 2001

November 14, 2005

Dennis Milanovich  
First Selectman  
Town of Ellington  
P.O. Box 187  
Ellington, CT 06029



Dear Mr. Milanovich:

This letter is in response to your request for an opinion on hunting on Town owned land. To prepare this opinion I researched statutes and case law and received information from Deal May, a DEP employee. Our office also contacted CIRMA, the Town's insurance carrier.

The State Department of Environmental Protection regulates hunting in Connecticut. A municipality may only regulate hunting on property that it owns. Connecticut General Statute Section 26-65(b) states that "No person may engage in hunting on private land without the permission of the owner of such land." Mr. May from the DEP stated that the DEP would recognize the Town of Ellington as the landowner and as such hunting would be allowed if the Town granted permission to hunt on Town owned land. He further stated that the Town must have some sort of process by which it allows permits. Daily permits, written permits, drawings, etc. There must be written permission for deer or turkey hunting but small game (wild fowl, rabbit, squirrel, etc) can be by declaration.

When deciding if the Town should grant permission to hunt on it's land, the potential liability should be carefully weighed against the benefit. In the case of Administratrix of Kevin Elliott against the City of Waterbury, the Connecticut Supreme Court held that the City of Waterbury could be sued for maintaining a nuisance because Mr. Elliott was unintentionally shot and killed by a hunter who had been granted permission to hunt on City owned property. The case was remanded to the trial court to determine if the Estate could prevail on the nuisance claim against the City. The case was never tried, but according to the attorney for the plaintiff, settled out of court for a substantial sum. In the original complaint the Estate alleged that the City was liable for allowing hunting in an area close to the road, failing to restrict hunting in the area from which the bullet was fired, allowing hunting in an area that was inadequate in size, failing to provide adequate warning signs, and failing to investigate and appreciate written and oral complaints. Although these allegations were never tried to conclusion they give an indication of the

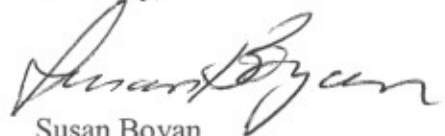
types of claims that can be made against a Town if someone is accidentally shot by a hunter on Town land.

Our office also contacted Kathy Gambrell , from CIRMA. She said that CIRMA does not recommend hunting on Town owned land, because such activity increases the Town's exposure to liability. It also increases the premiums. Before allowing hunting on Town land, the proposed policy should be discussed with Ellen Parker at CIRMA. She can advise the Town as to the possible ramifications of adopting such a policy.

In summary, hunting on Town land is legal if the Town as owner of the property grants permission. The DEP requires written policies if such permission is granted. However, even though hunting may be permitted, there is no absolute governmental immunity and the Town could be sued if sufficient measures are not taken to protect the public. There is also the issue of the potential increase in the Town's insurance premiums to be considered.

Please let me know if you would like any additional information regarding this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan Boyan".

Susan Boyan  
Town Attorney

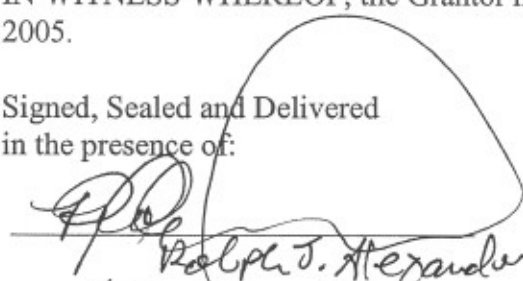
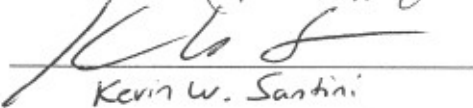
V-6

**STATUTORY WARRANTY DEED**


SANTINI HOMES, INC., a Connecticut corporation with offices in the Town of Vernon, County of Tolland and State of Connecticut, for no consideration, grants to the TOWN OF ELLINGTON, a municipality in the Town of Ellington, County of Tolland and State of Connecticut, with WARRANTY COVENANTS; all that certain piece or parcel of land being situated in the Town of Ellington, County of Tolland and State of Connecticut, being the road known as Woodland Trail, said road conveyed hereby being more particularly described on Schedule A attached hereto and made a part hereof.

IN WITNESS WHEREOF, the Grantor has here unto set its hand and seal this 23<sup>rd</sup> day of September, 2005.

Signed, Sealed and Delivered  
in the presence of:

  
Ralph J. Alexander  
  
Kevin W. Santini

SANTINI HOMES, INC.

By:   
Evandro S. Santini  
Its President, Duly Authorized

STATE OF CONNECTICUT     )  
  ) ss. Vernon  
COUNTY OF TOLLAND     )

September 23, 2005

On this 23<sup>rd</sup> day of September, 2005, before me, the undersigned officer, personally appeared, Evandro S. Santini, who acknowledged himself to be the President of SANTINI HOMES, INC., a corporation, and that he as such President, being authorized so to do, executed the forgoing instrument for the purposes therein contained, as his free act and deed, and the free act and deed of said corporation.

IN WITNESS WHEREOF, I hereunto set my hand official seal.

  
Ralph J. Alexander  
Commissioner of the Superior Court  
Notary Public  
My Commission Expires:

Grantee's mailing address:  
55 Main Street  
Ellington, CT 06029

## SCHEDULE A

A certain piece or parcel of land situated in the Town of Ellington, County of Tolland and State of Connecticut, being designated as "Woodland Trail", on a certain map entitled, "SUBDIVISION PLAN SANTINI VILLAGE SECTION 2 – WOODLAND TRAIL ELLINGTON, CONNECTICUT GARDNER & PETERSON ASSOCIATES 178 HARTFORD TURNPIKE TOLLAND, CONNECTICUT PROFESSIONAL ENGINEERS LAND SURVEYORS BY S.E.J. SCALE 1"=40' DATE 1-12-00 REVISED 2-14-00, 3-3-2000 CONDITIONS OF APPROVAL SHEET NO. 2 OF 8 MAP NO. 8054-S2", which map is on file, or to be filed, in the Town of Ellington Land Records and reference to which may be had for a more particular description, said premises to be more particularly bounded and described as follows:

Beginning at a concrete monument to be set in the easterly line of Abbott Road and the southwesterly line of Lot 1 on the above referenced map, marking their intersection with the northerly line of Woodland Trail; and

Thence running southerly and then easterly by the arc of a curve to the left having an angle of  $90^{\circ} 00' 00''$  and a radius of 25.00 feet along the southerly line of Lot 1, for a distance of 39.27 feet to a concrete monument to be set; and

Thence by a course of  $N 85^{\circ} 55' 23'' E$  along the southerly line of Lot 1, for a distance of 103.05 feet to a concrete monument to be set; and

Thence running easterly by the arc of a curve to the left having an angle of  $12^{\circ} 14' 46''$  and a radius of 575.00 feet, for a distance of 122.90 feet, along the southerly lines of Lots 1 and 2 on the above referenced map, in part by each, to a concrete monument to be set; and

Thence by a course of  $N 76^{\circ} 40' 36'' E$  along the southerly lines of Lots 2,3,4 and 5 on the above referenced map, in part by each, for a distance of 446.14 feet, to a concrete monument to be set; and

Thence running northeasterly by the arc of a curve to the left having an angle of  $54^{\circ} 37' 24''$  and a radius of 30.00 feet, along the southerly line of Lot 5, for a distance of 28.60 feet to a concrete monument to be set; and

Thence running easterly, southerly and westerly by the arc of a curve to the right having an angle of  $289^{\circ} 14' 49''$  and a radius of 65.00 feet along the southerly line of Lot 5, the southerly line of Lot 6, the northerly line of Lot 7 and the northerly line of Lot 8, in part by each, for a distance of 328.14 feet to an iron pin to be set; and

Thence running westerly by the arc of a curve to the left having an angle of  $54^{\circ} 37' 24''$  and a radius of 30.00 feet, along the northerly line of Lot 8, for a distance of 28.60 feet, to a concrete monument to be set; and

Thence by a course of  $S 76^{\circ} 40' 36'' W$  along the northerly lines of Lots 8, 9, 10 and 11 on the above referenced map, in part by each, for a distance of 446.14 feet to a concrete monument to be set; and

Thence running westerly by the arc of a curve to the right having an angle of  $12^{\circ} 14' 46''$  and a radius of 625.00 feet, along the northerly lines of Lots 11 and 12 on the above referenced map, in part by each, for a distance of 133.58 feet, to a concrete monument to be set; and

Thence by a course of  $S 88^{\circ} 55' 23'' W$  along the northerly line of Lot 12, for a distance of 103.05 feet, to a concrete monument to be set; and

Thence running westerly and southerly by the arc of a curve to the left having an angle of  $90^{\circ} 00' 00''$  and a radius of 25.00 feet, along the northwesterly line of Lot 12, for a distance of 39.27 feet, to a concrete monument to be set; and

Thence by a course of  $N 01^{\circ} 04' 37'' W$  along the easterly line of Abbott Road and the westerly terminus of Woodland Trail, for a distance of 100.00 feet, to a concrete monument to be set marking the point and place of beginning.





V-m

**STATUTORY WARRANTY DEED**

SANTINI BUILDERS, LLC, a Connecticut limited liability company with offices in the Town of Vernon, County of Tolland and State of Connecticut, for no consideration, grants to the TOWN OF ELLINGTON, a municipality in the Town of Ellington, County of Tolland and State of Connecticut, with WARRANTY COVENANTS; all that certain piece or parcel of land being situated in the Town of Ellington, County of Tolland and State of Connecticut, being the roadway consisting of the streets known as "Allen Ridge Drive", "Cantor Knoll" and "Ridgeview Drive", said roadways being more particularly described on Schedule A attached hereto and made a part hereof.

IN WITNESS WHEREOF, the Grantor has here unto set its hand and seal this 24th day of October, 2005.

Signed, Sealed and Delivered  
in the presence of:

  
Ralph J. Alexander  
  
Susan A. Carroin

SANTINI BUILDERS, LLC

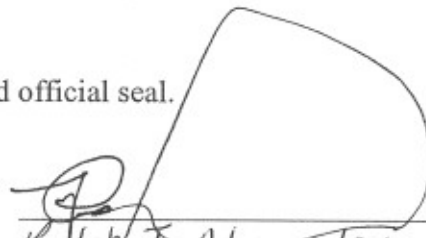
By   
Evandro S. Santini  
Its Manager, Duly Authorized

STATE OF CONNECTICUT    )  
  ) ss. Vernon  
COUNTY OF TOLLAND    )

October 24, 2005

On this 24th day of October, 2005, before me, the undersigned officer, personally appeared, Evandro S. Santini, who acknowledged himself to be the Manager of SANTINI BUILDERS, LLC, a limited liability company, and that he as such Manager, being authorized so to do, executed the forgoing instrument for the purposes therein contained, as his free act and deed, and the free act and deed of said limited liability company.

IN WITNESS WHEREOF, I hereunto set my hand official seal.

  
Ralph J. Alexander  
Commissioner of the Superior Court  
Notary Public  
~~My Commission Expires:~~

Grantee's mailing address:  
55 Main Street  
Ellington, CT 06029

## SCHEDULE A

Those to certain roadway consisting of three connected streets situated in the Town of Ellington, County of Tolland and State of Connecticut, said streets being designated as "Allen Ridge Drive", "Cantor Knoll" and "Ridgeview Drive" as shown on a certain map entitled, "SUBDIVISION PLAN SANTINI VILLAGE GASEK FARMS II PINNEY STREET & ALLEN RIDGE DRIVE ELLINGTON, CONNECTICUT GARDNER & PEERSON ASSOCIATES 178 HARTFORD TURNPIKE TOLLAND, CONNECTICUT PROFESSIONAL ENGINEERS LAND SURVEYORS BY S.E.J. SCALE 1" = 40' DATE 12-18-2000 REVISIONS 3-12-2001, 4-24-2001 PER APPROVAL SHEET NO. 3 & 4 OF 11 MAP NO. 8054-S2", which map is on file, or to be filed, in the Town of Ellington Land Records and reference to which may be had for a more particular description, said premises to be more particularly bounded and described as follows:

Beginning at a point in the westerly line of Allen Ridge Drive, marking the intersection of the southeasterly corner of Lot 32 and the northeasterly corner of Lot 12 as shown on the above referenced map; and

Thence by a course of N 79° 51' 38" E for a distance of 50.00 feet, across Allen Ridge Drive, to a point in the westerly line of Lot 41 as shown on said map; and

Thence by a course of N 10° 08' 22" W along the westerly line of Lots 41 and 42 as shown on said map, in part by each, also being the easterly line of Allen Ridge Drive, for a distance of 262.55 feet, to a point; and

Thence running northerly by the arc of a curve to the right having an angle of 20° 19' 49" and a radius of 475.00 feet, along the westerly line of Lots 42, 43 and 44, in part by each, also being the easterly line of Allen Ridge Drive, for a distance of 168.54 feet, to a monument to be set; and

Thence running northerly by the arc of a curve to the left having an angle of 20° 19' 50" and a radius of 350 feet, along the westerly line of Lots 44 and 45, in part by each, also being the easterly line of Allen Ridge Drive, for a distance of 124.19 feet, to a monument to be set; and

Thence by a course of N 10° 08' 22" W along the westerly line of Lot 45, also being the easterly line of Allen Ridge Drive, for a distance of 125.80 feet, to a monument to be set; and

Thence running northerly and easterly by the arc of a curve to the right having an angle of 90° 00' 00" and a radius of 25.00 feet, along the northerly line of Lot 45, also being the juncture of the easterly line of Allen Ridge Drive and the southerly line of Ridgeview Drive, for a distance of 39.27 feet, to a monument to be set; and

Thence by a course of N 79° 51' 38" E along the northerly line of Lots 45 and 46, in part by each, also being the southerly line of Ridgeview Drive, for a distance of 252.39 feet, to a monument to be set; and

Thence running easterly and southerly by the arc of a curve to the right having an angle of 53° 07' 48" and a radius of 35.00 feet, along the northerly line of Lot 46, for a distance of 32.46 feet, to a monument to be set; and

Thence running southerly, easterly, northerly and westerly by the arc of a curve to the left having an angle of 286° 15' 37" and a radius of 65.00 feet, along the northerly lines of Lots 46 and 47, the westerly lines of Lots 48 and 49 and the southerly lines of Lots 50 and 51, in part by each, also being the line of the cul-de-sac at the easterly terminus of Ridgeview Drive, for a distance of 324.75 feet, to a monument to be set; and

Thence running southerly and westerly by the arc of a curve to the right having an angle of 53° 07' 48" and a radius of 35.00 feet along the southerly lines of Lot 51, also being the northerly of Ridgeview Drive, for a distance of 32.46 feet, to a monument to be set; and

Thence by a course of S 79° 51' 38" W along the northerly lines of Lots 51, 52, 53 and 54, in part by each, also being the northerly line of Ridgeview Drive, for a distance of 518.42 feet, to an iron pin to be set; and

Thence by a course of S 10° 08' 22" E along the easterly line of Remaining Land of Evandro S. Santini, also being the westerly terminus of Ridgeview Drive as shown on said map; for a distance of 50.00 feet to, an iron pin to be set; and

Thence by a course of N 79° 51' 38" E along the northerly line of Remaining Land of Evandro S. Santini and the northerly line of Lot 55, in part by each, also being southerly line of Ridgeview Drive, for a distance of 166.03 feet to a monument to be set; and

Thence running easterly and southerly by the arc of a curve to the right having an angle of 90° 00' 00" and a radius of 25.00 feet along the northeasterly corner of Lot 55, also being the juncture of the southerly line of Ridgeview Drive and the westerly line of Allen Ridge Drive, for a distance of 39.27 feet, to a monument to be set; and

Thence by a course of S 10° 08' 22" E along the easterly line of Lot 55, also being the westerly line of Allen Ridge Drive, for a distance of 125.80 feet, to a monument to be set; and

Thence running southerly by the arc of a curve to the right having an angle of 20° 19' 50" and a radius of 300.00 feet, along the easterly line of Lots 55 and 40, in part by each, also being the westerly line of Allen Ridge Drive, for a distance of 106.45 feet, to a monument to be set; and

Thence running southerly by the arc of a curve to the left having an angle of  $13^{\circ} 48' 46''$  and a radius of 525.00 feet along the easterly line of Lot 40, also being the westerly line of Allen Ridge Drive, for a distance of 126.57 feet, to a monument to be set; and

Thence running southerly and westerly by the arc of a curve to the right having a delta of  $83^{\circ} 28' 56''$  and a radius of 25.00 feet along the southeasterly corner of Lot 40, also being the juncture of the westerly line of Allen Ridge Drive and the northerly line of Cantor Knoll, for a distance of 36.43 feet, to a monument to be set; and

Thence by a course of  $S 79^{\circ} 51' 38'' W$  along the southerly lines of Lots 40, 39 and 38, in part by each, also being the northerly line of Cantor Knoll, for a distance of 421.60 feet, to a monument to be set; and

Thence running westerly and northerly by the arc of a curve to the right having an angle of  $53^{\circ} 07' 48''$  and a radius of 35.00 feet along the southerly line of Lot 37, also being the northerly line of Cantor Knoll, for a distance of 32.46 feet, to a monument to be set; and

Thence running northerly, westerly, southerly and easterly by the arc of a curve to the left having an angle of  $286^{\circ} 15' 37''$  and a radius of 65.00 feet along the southerly line of Lot 37, the easterly line of Lot 36 and the northerly line of Lot 35, in part by each, also being the line of the cul-de-sac at the westerly terminus of Cantor Knoll, for a distance of 324.75 feet to a monument to be set; and

Thence running northerly and easterly by the arc of a curve to the right having an angle of  $53^{\circ} 07' 48''$  and a radius of 35.00 feet along the northerly line of Lot 34, also being southerly line of Cantor Knoll, for a distance of 32.46 feet, to a monument to be set; and

Thence by a course of  $N 79^{\circ} 51' 38'' E$  along the northerly lines of Lots 34, 33 and 32, in part by each, also being the southerly line of Cantor Knoll, for a distance of 418.05 feet, to a monument to be set; and

Thence running easterly and southerly by the arc of a curve to the right having an angle of  $90^{\circ} 00' 01''$  and a radius of 25.00 feet along the northeasterly line of Lot 32, also being the juncture of the southerly line of Cantor Knoll and the westerly line of Allen Ridge Drive, for a distance of 39.27 feet, to a monument to be set; and

Thence by a course of  $S 10^{\circ} 08' 22'' E$  along the easterly line of Lot 32, also being the westerly line of Allen Ridge Drive, for a distance of 175.00 feet, to a point marking the intersection of the southeasterly corner of Lot 32 and the northeasterly corner of Lot 12 as shown on said map, and being the point and place of beginning

V-IV

DRAINAGE  
PERMANENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that SANTINI HOMES, INC., a Connecticut corporation, having its principal place of business in the Town of Vernon, County of Tolland and State of Connecticut (hereinafter called "Grantor") for the consideration of ONE DOLLAR (\$1.00) and other valuable considerations, received to his full satisfaction of the TOWN OF ELLINGTON, a municipality chartered under the laws of the State of Connecticut (hereinafter called "Grantee"), does give, grant, bargain, sell and confirm unto the said Grantee, its successors and assigns a PERMANENT EASEMENT for drainage purposes which includes the right to lay and maintain in perpetuity a drainage pipe and all such ancillary structures as may be necessary or convenient now or in the future for the full use and operation of the drainage system, in and to that area more particularly described as follows:

Said PERMANENT DRAINAGE EASEMENT consists of two easement areas, the first of which is designated as "Drainage Easement" and runs over Lot No. 2 to the "Stormwater Detention Area", and the second of which runs over Lot Nos. 7, 6, 5 and 1 to the "Stormwater Detention Area", both areas are shown on a certain map or plan entitled, "SUBDIVISION PLAN SANTINI VILLAGE SECTION 1 - GASEK FARMS PINNEY STREET & PINNEY ROAD, ELLINGTON, CONNECTICUT GARDNER & PETERSON ASSOCIATES 178 HARTFORD TURNPIKE TOLLAND, CONNECTICUT PROFESSIONAL ENGINEERS LAND SURVEYORS BY S.E.J. SCALE 1"=40' DATED 2-22-99 REVISED 3-1-99 THROUGH 2-14-00 SHEET NO. 3 OF 16 MAP NO. 8054-S.", which map or plan is on file in the Town of Ellington Land Records, and reference to which is hereby made.

This Deed of Easement is executed and delivered and said easement is granted upon the following conditions:

1. The Grantee is granted this easement for the purpose of (a) installing, laying and/or maintaining a drainage pipe, manhole or drainage appurtenances, and/or drainage swale; (b) to conduct surface or subsurface waters from its road system, whether originating from the road system or not, over, across and through the described easement area; (c) together with the unrestricted right to discharge said waters onto the described easement drainage area and permit said water to flow therefrom along its natural course upon other land of the Grantor; (d) and without any obligation to perform maintenance or maintain any area beyond said described easement drainage area.

2. The Grantee, its agents, employees, successors and assigns shall, as soon as practicable after alterations and repairs thereunto, restore all property of the Grantor to a reasonably safe, neat and presentable condition including re-seeding. The Town will not as to any easement area replace any structures which it removes, will not replace any shrubs, landscaped areas or trees which it removes.

Grantee's mailing address:  
55 Main Street  
Ellington, CT 06029



